IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 72368-M of 2006

DATE OF DECISION : 19.01.2007

Satbir Singh

.... PETITIONER

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Arihant Jain, Advocate,
for the petitioner.

Mr. Partap Singh, Senior D.A.G., Haryana.

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` This is second petition filed by Satbir Singh under Section 439 of the Code of Criminal Procedure for the grant of regular bail in case FIR No. 60 dated 27.6.2006 under Sections 323, 307, 506, 452, 34 IPC, registered at Police Station Mohana, Tehsil and District Sonepat. His earlier petition was dismissed at that stage by this court on October 16, 2006.

I have heard counsel for the parties and gone through the contents of the FIR.

As per the prosecution version, petitioner had caused injury No.4 on the person of injured Phool Kumar and the doctor has declared this injury to be dangerous to life. Counsel contends that initially, the FIR was registered under Sections 323, 452, 506, 34 IPC and the petitioner was granted bail on 15.7.2006. Before that, the injured was discharged from the Hospital on 9.7.2006. Subsequently, opinion of the doctor was sought on 5.8.2006, on the basis of which offence under Section 307 was added and the petitioner was again arrested. Since then, he is in custody. Counsel for the petitioner contends that till date, no PW has been examined and the case is now fixed for 16.3.2007, therefore, the trial is not likely to conclude soon.

Earlier his bail application was dismissed because his custody period was less. The factual position has not been disputed by the State Counsel.

In view of the aforesaid facts, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner and he is, accordingly, ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial court.

January 19, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**